

PETER C. ANDERSON
UNITED STATES TRUSTEE
MICHAEL JONES, State Bar No. 271574
ASSISTANT UNITED STATES TRUSTEE
RON MAROKO, State Bar No. 124770, TRIAL ATTORNEY
OFFICE OF THE UNITED STATES TRUSTEE
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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re:	)	Case No.: 2:23-bk-10990-SK
	)	Chapter 11
LESLIE KLEIN,)	
	)	APPLICATION FOR ORDER APPROVING
Debtor.	)	APPOINTMENT OF TRUSTEE AND
	)	FIXING BOND
	)	[NO HEARING REQUIRED]

The United States Trustee (the "Applicant") hereby applies to the Court pursuant to Fed. R. Bankr. P. 2007.1 for an Order Approving Appointment of a Trustee, and in support thereof, states as follows:

1. The Applicant has appointed Bradley D. Sharp as Trustee in the above captioned case on May 23, 2023.

2. Counsel for the Applicant has consulted with the following parties in interest regarding the appointment of the Trustee:

- a. Michael Jay Berger as Counsel for Debtor;
- b. Robert P. Goe as Counsel for creditor Erica and Joseph Vago;
- c. Steven Mayer as Counsel for creditor Jeffrey Siegel, Successor Trustee, Scott Trust Agreement dated December 24, 1992;
- d. Michael I. Gottfried as Counsel for creditors Gestetner Charitable Remainder Unitrust, A. Gestetner Family Trust; and Andor Gestetner;
- e. Clarisse Young Shumaker as Counsel for creditor Adi Venrigger;
- f. Baruch Cohen as Counsel for creditor Robert and Ethel Mermelstein;

1 g. Krikor Meshefejian as Counsel for creditor Life Capital Group, LLC;

2 h. Nikko Stevens as Counsel for creditor Franklin H. Menlo, co-trustee of the
3 Franklin Menlo Irrevocable Trust established March 1, 1983;

4 i. Joshua Scheer as Counsel for creditor Ajax Mortgage Loan Trust.

5 3. To the best of the Applicant's knowledge, the Trustee's connections with the debtor(s),
6 creditors, any other parties in interest, their respective attorneys and accountants, the United States
7 Trustee, and persons employed in the Office of the United States Trustee, are limited to the
8 connections set forth in the Verified Statement filed in support of this Application.

9 WHEREFORE, Applicant requests that the Court enter an Order Approving Appointment of
10 Bradley D. Sharp as Trustee in the above-captioned case.

11 DATE: 5-23-2023


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13 United States Trustee
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EXHIBIT "1"

EXHIBIT "1"

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FILED & ENTERED

MAY 17 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY penning DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re:	)	Case No.: 2:23-bk-10990-SK
	)	Chapter 11
LESLIE KLEIN,)	
	)	ORDER DIRECTING THE APPOINTMENT
Debtor.	)	OF A CHAPTER 11 TRUSTEE
)	
	)	Hearing Date: May 17, 2023
	)	Time: 9:00 AM
	)	Place: Courtroom 1575

The Court heard judgment creditors Erica and Joseph Vago's (the Vagos) "Motion for an Order Dismissing Leslie Klein's (Klein) Chapter 11 Case" at the above date and time. Docket #80. Appearances were as noted on the record.

In response to the Motion, the U.S. Trustee (UST) filed a "Limited Opposition to Judgment Creditor Vago's Motion to Dismiss" (UST Opposition). Docket #98. Franklin H. Menlo, (Menlo) co-trustee of the Franklin Menlo Irrevocable Trust established March 1, 1983 (Menlo Trust) filed "The Menlo Trusts' Response to Motion for Order Dismissing Debtor's Chapter 11 Bankruptcy" (Menlo Trust Response). Docket #99. Adi Vendrigger, Co-Trustee and beneficiary of Creditor The First Amendment Trust Wendrigger Family Dated May 7, 1990 (Wendrigger Trust) filed "Response to Motion for Order Dismissing Debtor's Chapter 11 Bankruptcy Case" (Wendrigger Trust Response). Docket #100. Klein filed "Debtor's Opposition to Motion to Dismiss" (Klein Opposition). Docket #107. Creditors Robert & Esther Mermelstein (the Mermelsteins) filed a "Response of Robert & Esther Mermelstein to Motion for Order Dismissing Debtor's Chapter 11 Bankruptcy Case" (Mermelstein Response). Docket #111. The Vagos filed an "Omnibus Reply in Support of Erica and Joseph Vago's Motion for Order Dismissing Debtor's Chapter 11 Bankruptcy

Case” (Reply). Docket #118. The Court considered the Motion, the UST Opposition, the Menlo Trust Response, the Wendrigger Trust Response, the Klein Opposition, the Mermelstein Response, and the Reply, , as well as argument from the parties present. For the reasons stated on the record, the Court found cause to grant the motion and determined that it was in the best interests of all creditors, under the circumstances of this case, that a chapter 11 trustee be appointed forthwith. Therefore, **GOOD CAUSE** appearing,

IT IS HEREBY ORDERED that the United States Trustee is directed to appoint a Chapter 11 Trustee in this case.

IT IS FURTHER ORDERED that the case management status conference in this Chapter 11 case is continued to August 9, 2023, at 8:30 AM in Courtroom 1575.

IT IS FURTHER ORDERED that Debtor shall file his Monthly Operating Report for the month ending April 30, 2023, by May 21, 2023.

IT IS SO ORDERED.

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Date: May 17, 2023



Sandra R. Klein
United States Bankruptcy Judge

EXHIBIT "2"

EXHIBIT "2"

Bradley D. Sharp
Development Specialists, Inc.
333 South Grand Avenue, Suite 4100
Los Angeles, California 90071
Telephone: (213) 617-2717
Facsimile: (213) 617-2718

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re

LESLIE KLEIN,

Debtor.

Case No.: 2:23-bk-09990-SK

Chapter 11

**DECLARATION OF BRADLEY D.
SHARP IN SUPPORT OF APPLICATION
FOR ORDER APPROVING
APPOINTMENT OF TRUSTEE AND
FIXING BOND**

[No Hearing Required]

I, Bradley D. Sharp, declare:

1. I am the nominated Chapter 11 Trustee of the above-entitled case. I am also the President and Chief Executive Officer of Development Specialists, Inc. ("DSI"). I have personal knowledge of the facts stated in this Declaration, and if called as a witness, I could and would testify competently to these facts, except where matters are stated on information and belief, and as to these facts, I am informed and believe that they are true.

2. I meet the criteria set forth in 11 U.S.C. § 321 in that I have an office in the judicial district in which this case is pending. My office is located at 333 South Grand Avenue, Suite 4100, Los Angeles, California. Furthermore, I have not served as an examiner in this case.

1 3. I will comply with the requirement of 11 U.S.C. §322 as I will file a bond with the
2 Bankruptcy Court of the United States that is conditioned on my faithful performance of my
3 official duties.

4 4. I have more than 30 years' experience working with large and small troubled
5 companies and chapter 11 matters for individuals. I have been appointed as chapter 11 trustee in
6 cases that have involved complex issues including Arnold Klein, East Coast Foods, Inc. and
7 Namco Capital Group, (Central District of California, Los Angeles Division), and SK Foods, LP
8 (Eastern District of California, Sacramento Division).

9 5. I am familiar with the Bankruptcy Code, the Federal Rules of Bankruptcy
10 Procedure and the Local Bankruptcy Rules and shall comply with them during the administration
11 of this case.

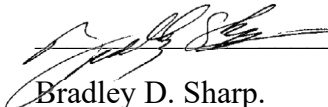
12 6. I hereby verify that I have no connections with the debtor, creditors, any other
13 parties in interest, their respective attorneys and accountants, the United States Trustee, or any
14 person employed in the Office of the United States Trustee, except as follows:

15 7. DSI has worked in the past and will likely continue to work in the future on a
16 number of unrelated matters in conjunction with and opposed to various other professionals
17 representing various persons in this case, including other law firms and accounting firms that
18 may represent or advise the debtor, creditors or parties in interest in this case.

19 8. To the best of my knowledge, neither my firm nor I hold any interest materially
20 adverse with the debtor, the debtor's attorneys or accountants, the debtor's creditors, nor any
21 other party in interest, nor their respective attorneys or accountants. If additional information
22 comes to my attention that changes these facts, I will advise the Court and the United States
23 Trustee immediately.

24 9. I and my firm are "disinterested persons" within the meaning of
25 Bankruptcy Code Section 101(14) in that neither I nor my firm are a creditor or related to the
26 debtor. Neither I nor my firm holds an interest materially adverse to the estate or any class of
27 creditors, by reason of any direct or indirect relationship or connection with or interest in, the
28 debtor for any other reason.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct, and that this Declaration was executed on May 23, 2023 at San
3 Juan Capistrano, California.

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7 Bradley D. Sharp.
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
915 Wilshire Boulevard, Suite 1850, Los Angeles, California 90017

A true and correct copy of the foregoing document entitled (*specify*): APPLICATION FOR ORDER APPROVING APPOINTMENT AND FIXING BOND will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 5/24/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED SHEET

 x Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

None

 Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) 5/23/2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Judge's copy temporarily suspended under General Order 20-02, as updated by General Order 23-01

By email: Bradley D. Sharp: bsharp@dsiconsulting.com
Eric Olson (Debtor's new counsel): eric@ejolsonlaw.com

 Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

5/24/2023
Date

Ron Maroko
Printed Name

/s/ Ron Maroko
Signature

ADDITIONAL SERVICE INFORMATION

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Reem J Bello rbello@goeforlaw.com, kmurphy@goeforlaw.com
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